

Toth et al.

U.S. Serial No. 10/605,789

REMARKS

Contemporaneously herewith Applicant has filed a Request for Continued Examination. Accordingly, Applicant requests entry and consideration of the above amendments which are believed to further define the present invention over the art of record.

Specifically, claim 1 has been amended to clarify that the first moveable filter is positioned nearer to the focal point of x-ray projection than the second moveable filter. The Examiner asserted in the Advisory Action mailed June 17, 2005 that Romeas "discloses two filters having tails (fig. 5, respective right and left sections of #17a and 18b) positioned at a distal end relative to an x-ray source (fig. 5, source of #3)." Advisory Action, p. 2. As shown in Fig. 5, however, the two filter sections (17a and 18b) are positioned equidistantly from an x-ray source focal point (the intersection of lines 3 and 6 in Fig. 5). Therefore, it is believed that claim 1 which, as amended, calls for one filter to be closer to the x-ray source focal point than the other filter, patentably defines the invention from that taught and/or suggested by Romeas. Additionally, Moore, which the Examiner relied upon in combination with Romeas, fails to teach tails extending from the distal end of the filter body relative to an x-ray source focal point. As such, combining the teachings of Romeas with that of Moore fails to support an obviousness rejection. Therefore, it is believed that claim 1 is in condition for allowance.

Claim 11 has been amended to clarify that the curved portions of each filter generally face the projection source. The Examiner had previously rejected claim 11 in light of Moore, Popescu, and Hoffman. As shown in Moore, the art teaches a pair of filters, each having a curved portion. In contrast to that claimed, however, the reference teaches that the curved portion of one filter faces in the direction of x-ray projection and the curved portion of the second filter generally faces away from the x-ray source. To achieve the uniformity in x-ray attenuation by the x-ray filter and the subject, the filter construction of Moore requires that the curved portion of one filter face the x-ray source and that the curved portion of the other filter face away from the x-ray source. As such, notwithstanding the teachings of Popescu and Hoffman, the combination of references fails to teach or suggest that called for in claim 11. Allowance thereof is therefore requested.

Claim 17 was finally rejected based on the combination of Moore and Schmidt. The Examiner relied upon Moore for the teaching of the claimed moveable filters and the teaching of Schmidt for the teaching of a stationary filter in conjunction with moveable filters. Claim 17, however, has been amended to further define the moveable first and second filters each having a curved portion and being in a mirrored arrangement. As best shown in Fig. 2a, Moore teaches an inverted, not a mirrored relationship

Toth et al.

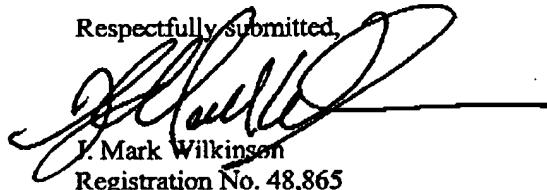
U.S. Serial No. 10/605,789

between the filters. As such, notwithstanding the teachings of Schmidt, the combination of references fails to teach or suggest that being claimed. Allowance of claim 17 is therefore requested.

Claims 8-10 have been amended to address the objections raised by the Examiner.

By these amendments, Applicant believes the present application to be in condition for allowance. Accordingly, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-2, 5-6, 8-14, and 16-23.

Respectfully submitted,



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